

## **REMARKS**

Claims 1-7, 9-12, 15-22 are pending after entry of this response.

Claim 1 has been amended to clarify the features of the pass key as it relates to the water treatment apparatus. Specifically, claim 1 has been amended to recite “wherein one of the codes is programmed to allow the user to service the water treatment apparatus after the pass key communicates with the water treatment apparatus and prevents servicing without the pass key first having been in communication with the water treatment apparatus.” Support for this can be found at least in Paragraphs [0016], [0021] and [0027].

Claim 18 is new and is supported by at least Paragraphs [0014], [0027], and [0028]

Claim 19 is new and recites that the water treatment apparatus is programmed to disable a sanitizing function until after a pass key communicates with the water treatment apparatus to enable the sanitizing function. This is supported by at least Paragraphs [0021] and [0026]-[0028].

Claim 20 is new and recites that some of the functions are disabled until enabled by a pass key. This is supported by at least Paragraphs [0021] and [0026]-[0028].

Claim 21 is new and recites that not all disabled functions can be enabled by the same pass key. This is supported by at least Paragraphs [0021], [0023], and [0026]-[0028].

Claim 22 is new and recites that the pass key includes a timed deactivation code that deactivates the ability of the pass key to activate certain functions on the water treatment. This is supported by at least Paragraphs [0022] and [0030].

The Drawings have been amended to include descriptive text to describe the water treatment apparatus. The Descriptive text to identify the other components in the drawings can be found in the specification and identified by the corresponding reference numerals.

The Specification has been amended to add section headers.

No new matter has been added to the application.

#### Objection to the Drawings

The Drawings were once again objected to, however no further basis for the objection has been presented in the Office Action other than the statement "because the boxes in Fig. 1 and Fig. 2 fail to show descriptive (text) legends." Applicant made a good faith attempt to correct the drawings in the last response. It is not clear why the Examiner has continued to raise this objection. Every box in Figs. 1 and 2 includes a reference identifier that identifies the box. The reference identifier corresponds to the text in the Specification that describes what the box is. Applicant is not clear as to what descriptive legends under 37 CFR 1.84(o) are, therefore, needed. It is respectfully submitted that the drawings, when reviewed with the specification, would be clearly understood by a person of ordinary skill in the art.

In an effort to hopefully provide further clarification, Applicant has submitted herewith a clean and marked-up Replacement Sheet with a descriptive legend to identify the water treatment apparatus and the pass key. Applicant respectfully requests reconsideration and withdrawal of the objection to the Drawings. If these amendments and comments do not address the issue the Examiner is concerned about, Applicant asks the Examiner to contact the undersigned attorney to discuss what changes would be acceptable.

#### Objection to the Specification

Applicant has amended the Specification to add section headings in addition to those previously added in the Preliminary Amendment. Applicant respectfully requests reconsideration and withdrawal of the objection to the Specification.

#### §103 Rejection

Claims 1-3, 5, 6, 9, 10, 12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Valadez in view of U.S. Pat. No. 6,380,637 (Hsu). The Examiner acknowledges that Valadez does not disclose a separable pass key in communication with an apparatus. However, the Examiner has cited Hsu as disclosing a housing for receiving a portable

memory element that operates as a pass key and which is separable from the apparatus. Claims 4, 11 and 16 are rejected as being unpatentable over Valadez in view of Hsu and U.S. Pat. No. 6,988,204 (Alve). The Examiner has cited Alve as disclosing multiple access points, and network connectivity. Lastly, claim 7 is rejected as being unpatentable over Valadez in view of Hsu and U.S. Pat. No. 6,606,260 (Ahlstrom). The Examiner has cited Ahlstrom as disclosing that it is known to have a pass key for building access with an assigned code, and that is operational for only a preset period of time. In light of the following, Applicant traverses this rejection.

Claim 1 has been amended to recite that one of the codes in the pass key is programmed to allow the user to service the water treatment apparatus after the pass key communicates with the water treatment apparatus and prevents servicing without the pass key first having been in communication with the water treatment apparatus. This is a unique feature that has, heretofore, never to the Applicant's knowledge been utilized in a water treatment apparatus. Typically water treatment apparatus are freely usable in laboratories. Any restriction on use as is claimed would not have been contemplated by a person of ordinary skill in the art.

This aspect of the invention is distinctly different from the actions in Hsu, which states in its abstract that "The operator employs a user authorization element to assist the recording or tracking of electricity exchanged between the vehicle and the electricity exchanging system." This is further explained in columns 12 to 13 of Hsu which clearly describes the device as a reformation system for recharging fuel cells. It is respectfully submitted that, contrary to the sections referred to by the Examiner, namely, Col. 4, lines 21-30, and Col. 12, lines 51-67, Hsu does not disclose a water treatment apparatus as that term is well known in the industry, nor does it describe any system for providing servicing of a water treatment device. Instead, it is quite clear from the description in Hsu that it is directed to a control system for controlling recharging of a fuel cell through the use of a memory card (such as a smart, credit or debit card) to permit transfer of electricity between an off-board charging station and a fuel cell. The card is inserted into the read/write slot in the charging station and electricity is then transmitted to the fuel cell. The card is charged or debited for the transaction. Hsu does not disclose a pass key to control access for servicing, such as sanitization, of a water treatment unit. The water that is supplied in col. 4, lines 21-30 is for part of the reformation (recharging) of the fuel in the fuel cell. It is not

part of a water treatment unit. It is respectfully submitted that Hsu has nothing to do with a water treatment device. As noted by the Examiner, Valadez also does not disclose that feature of the invention. As such, the combination of elements in Valadez and Hsu does not render claim 1 as amended obvious. Ahlstrom and Alve fail to remedy this deficiency in the combination of Valadez and Hsu.

Furthermore, none of the cited references disclose use of a pass key to activate servicing of a water treatment apparatus, which servicing can be accomplished after activation, whether or not the pass key is still communicating with the apparatus. Hsu requires that the smart card be in the read/write slot so that data on the amount of electricity transferred can be added to the card. See, Col. 13, lines 8-18, col. 14, line 45 - col. 15, line 2.

Claim 3 has been amended to specifically refer to "sanitization". Contrary to the Examiner's comments in the Office Action with reference to column 5, lines 40-48 of Valadez, that reference does not disclose the operation of sanitization. The section cited by the Examiner relates to a "UV sterilizer" which is for treating the water that is supplied by the water treatment apparatus. The UV sterilizer does not sanitize the apparatus itself as is recited in the claim.

Valadez sterilizes the water to disinfect the water (not the apparatus) as it is passing through on the way to be dispensed. The present invention provides sanitizing of the apparatus when the dispenser is not operational for supplying water. After activation by the pass key, a user can have a sanitizing agent channeled through the apparatus to sanitize the apparatus. This feature is not disclosed nor suggested in Valadez.

Claim 3 inhibits the activation of the sanitizing function until after the pass key is first brought into communication with the water treatment apparatus. This permits only authorized personnel to access the sanitizing function of the water treatment apparatus. The invention prevents accidental sanitization by unauthorized users (non-pass key holders). This is clearly distinct from anything described in Valadez, Hsu, Ahlstrom and Alve.

New claim 18 depends from claim 3 and recites that the sanitizing chemicals can be circulated through the apparatus only after the pass key communicates with the water treatment

apparatus. Thus, the pass key is an enabling device that “unlocks” certain functions in the water treatment device. Again, neither Valadez, Hsu, Ahlstrom nor Alveteach disclose this aspect of the invention.

Claim 19 depends from claim 1 and recites that the water treatment apparatus includes a sanitizing function, and wherein the water treatment apparatus is programmed to disable the sanitizing function until a pass key communicates with the water treatment apparatus to enable the sanitizing function. The water treatment apparatus disables the sanitizing function after sanitizing is complete. Again, the pass key is an enabling device which unlocks a previously disabled sanitizing function and relocking in (disabling it) after sanitization is complete. Neither Valadez, Hsu, Ahlstrom nor Alve disclose such a feature.

Claim 20 depends from claim 1 and recites that the water treatment apparatus includes multiple functions, some of which are disabled, and wherein the water treatment apparatus is programmed to prevent use of the disabled functions until a pass key first communicates with the water treatment apparatus to enable one or more of the disabled functions. The water treatment apparatus is programmed to detect whether the pass key is authorized to enable the disabled functions. This claim is similar to claim 19, although not specific to sanitization. In this claim, the water treatment apparatus is programmed to detect whether the pass key is authorized to enable the disabled function. Clearly there is no suggestion of any of these features in Valadez, Hsu, Ahlstrom or Alve.

Claim 21 depends from claim 20 and states that the water treatment apparatus can communicate with multiple pass keys, and that not all disabled functions can be enabled by the same pass key. The water treatment apparatus enables only select disabled functions that are associated with a particular pass key that is first brought into communication with the water treatment apparatus. Again there is nothing in Valadez, Hsu, Ahlstrom or Alve that discloses any of these features. In particular, Hsu will activate the “reformation” of the fuel cell when any particular pass card is brought entered into the slot. It does not disclose that only certain functions can be activated by certain cards.

Lastly, claim 22 depends from claim 21 and recites that the pass key includes a timed deactivation code that deactivates the ability of the pass key to activate certain functions of the water treatment apparatus. The pass key can be reactivated from an external source. For example, this invention permits a pass key to be inactivated after a certain time period (e.g., six months), unless the user takes a mandatory training program that is given every six months. Needless to say there is nothing in Valadez, Hsu, Ahlstrom or Alve that even remotely suggests this aspect of the invention.

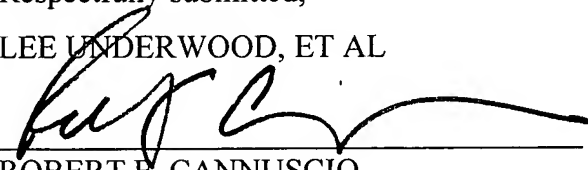
Accordingly, based on the foregoing, it is respectfully submitted that the claims as amended are patentable over Valadez, Hsu, Ahlstrom and Alve, as well as any other art of record. As such, reconsideration and withdrawal of the §103 rejection of the claims is respectfully requested.

If the Examiner believes direct communication will assist in the examination of the present invention, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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